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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/811,630

03/29/2004

Jamie A. Forrest

60282-032

2366

26096

7590

09/08/2006

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EXAMINER

LOPEZ, FRANK D

ART UNIT

PAPER NUMBER

3745

DATE MAILED: 09/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/811,630

Applicant(s)

FORREST, JAMIE A.

Examiner

F. Daniel Lopez

Art Unit

3745

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 21 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1,2,23,26-39 and 41-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 1,2,23,30-32 and 34-39 is/are allowed.
- 6) ☐ Claim(s) 26-29,33 and 41-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

Response to Amendment

Applicant's arguments filed June 21, 2006, have been fully considered but they are not deemed to be persuasive.

Applicant's arguments with respect to claims 41-47 have been considered but are deemed to be moot in view of the new grounds of rejection. The new grounds of rejection are necessitated by the added limitations concerning the valve assembly.

Applicant argues that there is no motivation to combine Stachowiak and Gardin et al, since Gardin et al is non-analogous art. This argument is based on Gardin et al being classified in 92/86, that Gardin et al is not in Applicant's field of endeavor and is not reasonably pertinent to the problem Applicant has solved.

Applicant is mistaken. Gardin et al is also classified in 92/171.1 which is liner details of a cylinder, which suggests that it is related to Applicant's field of endeavor. Furthermore, it is related to containing high pressure fluid inside a cylinder, which is also the specific problem Applicant is concerned with. Therefore, it is analogous art.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 42-47 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. There is no discussion of the cylindrical body having rectangular openings, a skirt or a low friction coating of claim 42.

Claims 33 and 41-47 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 33 depends from claim 25, which has been canceled.

In claim 41 line 8 "said suction valve received at least partially within said valve seat" appears to be wrong. The surface of the valve seat (54) which the suction valve (74) abuts is flat, and so the suction valve can not be received within the valve seat.

Claims not specifically mentioned are indefinite, since they depend from one of the above claims.

Claim Rejections - 35 USC § 102

Claim 41 is rejected under 35 U.S.C. § 102(b) as being anticipated by Tiffany et al. Tiffany et al discloses a valve assembly comprising an outer cartridge guide (72) received in a valve seat (16), such that a flange (e.g. 74) of the outer cartridge guide is received in a counter bore of the valve seat; a suction valve spring (116) engaging an inner cartridge stop (118) and suction valve (102); wherein the stop is in the outer cartridge guide and the suction valve has an axial suction passage (106).

Claim Rejections - 35 USC § 103

Claims 26-29 are rejected under 35 U.S.C. § 103 as being unpatentable over Stachowiak in view of Gardin et al. Stachowiak discloses a method of assembling a cylinder system comprising locating an outer pressure sleeve (32) within a frame plate (13), such that a flange (33) of the outer sleeve abuts the frame plate; and bolting (by 17) a manifold (15) to the frame plate, and thereby pressing the outer sleeve into a bore of the frame plate; wherein the manifold is a front element; but does not disclose that the step of locating an inner pressure sleeve within the outer pressure sleeve, wherein the inner and outer sleeves have angled interference surfaces therebetween and the manifold presses the inner sleeve into the outer sleeve.

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Gardin et al teaches, for a method of assembling a cylinder system comprising locating an outer pressure sleeve (2) within a frame plate (1); that there is a step of locating an inner pressure sleeve (3) within the outer pressure sleeve, wherein the inner and outer sleeves have angled interference surfaces therebetween; and front and rear portions (4, 11, respectively) presses the inner sleeve into the outer sleeve, for the purpose of minimizing damage if a liner fails (e.g. column 2 line 9-47).

Since Stachowiak and Gardin et al are both from the same field of endeavor, the purpose disclosed by Gardin et al would have been recognized in the pertinent art of Stachowiak. It would have been obvious at the time the invention was made to one having ordinary skill in the art to include the step of locating an inner pressure sleeve within the outer pressure sleeve of Stachowiak, wherein the inner and outer sleeves have angled interference surfaces therebetween and the manifold, being a front element, presses the inner sleeve into the outer sleeve, as taught by Gardin et al, for the purpose of minimizing damage if the liner fails

Conclusion

Claims 1, 2, 23, 30-32, 34 and 35-39 are allowed.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dan Lopez whose telephone number is 571-272-4821. The examiner can normally be reached on Monday-Thursday from 6:15 AM -3:45 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Look, can be reached on 571-272-4820. The fax number for this group is 571-273-8300. Any inquiry of a general nature should be directed to the Help Desk, whose telephone number is 1-800-PTO-9199.

A handwritten signature in black ink, appearing to read 'F. Daniel Lopez', is written over a horizontal line.

F. Daniel Lopez
Primary Examiner
Art Unit 3745
September 05, 2006